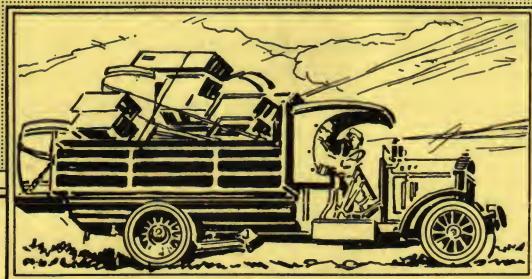
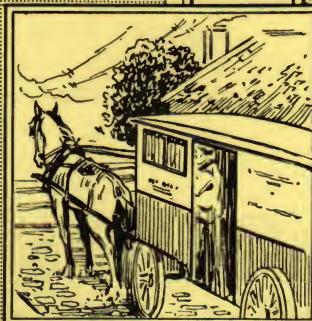
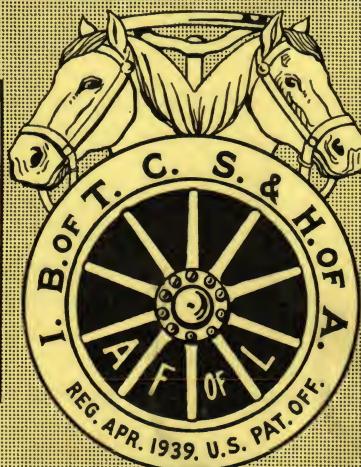
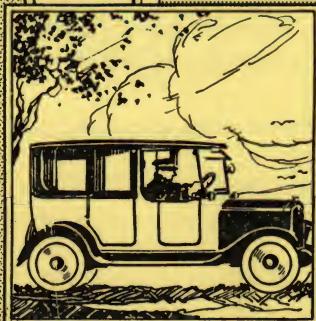
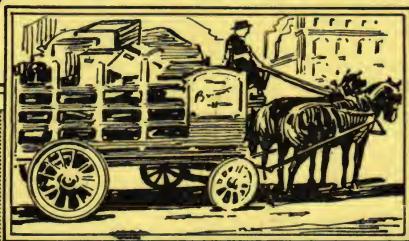


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JANUARY, 1940

*Official Magazine*  
**INTERNATIONAL BROTHERHOOD  
TEAMSTERS - CHAUFFEURS  
STABLEMEN & HELPERS  
*of* AMERICA**



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## **Agreement With Myself**

I agree that during the coming year I will correct my past mistakes and look to the future for greater happiness.

I agree that I will take care of my work, render an honest return for my wages, and will exercise due care for the property of my employer.

I agree that I will refrain from using foul language or from treating other people with discourtesy.

If I have any trouble I will exercise patience, control my temper, and refrain from making unpleasant statements.

I agree to pay my dues promptly, in advance if possible, and to attend the meetings of my union as often as I can, even cutting out some pleasures in order to be helpful to my union.

I agree to live within my means and to try to save something out of my salary each month, unless confronted with sickness or unusual expenses.

I agree to make conditions in my family as pleasant as possible, believing that by such action on my part greater respect and love for me will obtain.

I agree to speak a good word to non-union men regarding my union and to be at all times ready and willing to do anything consistent with my work towards being helpful to the Union.

I agree that I will not be continuously arguing and talking union shop in my place of employment, thereby antagonizing others.

I agree to observe carefully the obligation I have taken to my union, which is that I do all in my power to help a fellow member, consistent with common sense.

I agree to look after health, including teeth, eyes, tonsils, etc., as I know if I don't I will pay for it as I grow older. I know that "Nature takes its toll."

I agree to try and reduce my bad habits if I can't entirely cut them out.

I agree that I will smoke a little less, use intoxicating drinks less, and never drink anything containing alcohol during working hours.

I agree to do my best to keep those promises and to prove I have not lost my strength of character as a man, and because by doing so I know I will be a better man.

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● OFFICIAL MAGAZINE ●

# INTERNATIONAL BROTHERHOOD of TEAMSTERS, CHAUFFEURS STABLEMEN AND HELPERS

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JANUARY, 1940

No. 2

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## What Is Stopping Us?

This is the tenth year of unemploy-  
ment. We are about to mark the an-  
niversary of the 1929 crash. And the  
American Federation of Labor states  
that unemployment is still measured  
above 10,000,000.

Is this an Act of God? Doubtless  
there are those, of older theological  
persuasions, who sincerely think that  
is the meaning.

But when skilled workers see idle  
and depreciating machinery standing  
in closed factories; see fifty per cent  
of the installed machinery in great  
industries useless and unused for a  
decade; see over 500,000 new young  
workers come onto the scene every  
year with no adequate or secure em-  
ployment for them and the families  
they ought to be raising—there is  
liable to be something of a challenge  
to the old faiths.

Science has taught the last genera-  
tion or two a quite abiding faith in  
the general reasonableness of things.  
We believe that as long as the seasons  
come and go in their regularity, and  
the laws of nature hold gravitation  
in place, things which have a useful  
and reasonable function ought to be  
able to go on.

The query is becoming pretty in-  
sistent: What is stopping us from  
using the things we have made, to  
produce the things which we need?

When the answer to that question  
becomes clear, it behooves those who  
have furnished the stopper to keep  
out of sight for a while.



# EDITORIAL



(By DANIEL J. TOBIN)

**W**E HAVE spent the greater part of our lives trying to enact legislation embodying in principle that contained in the National Labor Relations Law, commonly called the Wagner Act, because Robert Wagner, United States Senator from New York, led the fight in the United States Senate to put through this legislation. Isn't it pitiful to see men of Labor down there in Washington before committees, disputing with each other, arguing with one another, hating each other, over the provisions of this Act? No one can deny the fact that the Wagner Act was the greatest piece of progressive, liberal legislation ever enacted in behalf of Labor. Some will deny it because of their personal, bitter, selfish, political hatreds—narrow-minded individualists who, through some accident or sharp practice, are sometimes chosen to represent Labor. Yes, a few of this type, who are politically blind and thoroughly bigoted, may deny the service or the good obtained as a result of the enactment of this legislation. But those of us who lived in the early days and struggled for the right to become a member of a union, those of us who went through the fires of persecution and discrimination to the extent that we were kicked around from place to place and blacklisted because it had been found out through spies, tools, enemies of the workers, that we were members of a Labor Union—I repeat, those of us who can look backward and those of us who can read the history of the struggles of Labor intelligently, we fully understand the benefits obtained and the freedom enjoyed today by the workers; and no small part of this freedom has been obtained through the enactment of the National Labor Relations Act. I have repeatedly stated that ninety-five per cent of the fault-finding obtaining against the Act and against the Board that has administered the Act is due to the split within the ranks of Labor. If the C. I. O. had not been started, if Labor had remained as it was when we put through this law, we not only would have gained in membership, but you can rest assured we would not now be trying, endeavoring, struggling and disagreeing as to how we can amend the Wagner Act. No, we would be in there adding to and strengthening the Wagner Act, and undoubtedly we would be successful. No wonder the President of the United States, quoting Shakespeare, expressed the thought, "A plague on both your houses!" Is it any wonder that this man and several others, our closest and best champions and friends, like Senator Jim Meade of New York, Senator Wagner, Senator Schwellenbach, Senator Minton, and numerous others—I repeat, is it any wonder they are disgusted with the battles between Labor? A substantial majority in the United States Senate and in the House championed the passage of this law. They were encouraged in every way possible by the President of the United States in this great struggle. Now look at what we have: Labor leaders (not Labor itself) failing to remain in one body united, and because of the weaknesses and jealousies of a few men there is a possibility that the law will perhaps be amended to such an extent that it will be partially destroyed. At any rate, you can rest assured that it will not be strengthened in favor of Labor. If it is not partly destroyed in the next session of Congress it will be because there is a general election next year, but you can take it from one who has spent the greater part

of his life in this struggle, that after the next election, in the spring of 1941, you can look for a destruction or a tearing to pieces of the Wagner Act and several other legislative measures that have substantially helped Labor and that were enacted in recent years. No Senator or Congressman in Washington today needs to pay much attention to requests from Labor, because one side is arrayed against the other and a Senator or Congressman is up in the air, not knowing which way to turn.

You ask me what's the answer, and I say the answer is that the rank and file everywhere should rise up and demand, by public expressions, mass meetings, and by resolutions and declarations, that the committees representing both sides get together and settle this trouble one way or another. Neither side has to sacrifice very much in order to bring about a settlement. Less than one dozen men on both sides are responsible for the division of eight million workers. We wonder in this country of ours why the great masses of the people of Germany stand for a monster dictator when they themselves are being persecuted. Let us look to our own house and let the workers ask themselves why eight million organized workers allow a few men to keep them separated in two or three rival organizations. Of course I know from the evidence produced and from personal experience that there has been some favoritism on the part of the board administering the Wagner Act, and that favoritism has pointed to the C. I. O. I had personal experience with this but it was not in a case against the C. I. O. It was a case between two organizations affiliated with the American Federation of Labor, where it took fourteen months to get a decision on a trivial matter from the Labor Board. But what good is it to add to the confusion by going down there and testifying to these facts? I can say honestly that in my personal judgment the three men who were on the Board and the three men who are now on the Board were and are friendly to Labor. As the evidence appears it looks as if the old Board favored to C. I. O. It is quite impossible for men who are human to refrain from having their own opinions. It is possible also that some of the men out on the road working for the Labor Board may have been placed in those positions by the influence and strategy of the C. I. O. machine in Washington. If they were able to do that, they deserve credit for their tireless energy and aggressiveness. Perhaps the A. F. of L. will profit something by the exposures and keep an eye on appointments to important boards and to assistants to commissioners. Perhaps the A. F. of L. has been somewhat slack in watching appointments to boards such as the Secretary of the National Labor Board, who, no doubt, from the evidence, was very strongly one-sided and in favor of the C. I. O. The work of Labor leaders should not be entirely confined to making speeches and answering letters, but the work of leaders should be to watch every development even down to the appointments to boards which have to do with Labor and Labor legislation.

Summing up the whole situation, we are facing reaction against Labor, and Labor leaders are to blame. With the war on in Europe and labor organizations destroyed or set back in most other countries, and with Labor in the United States being free to protect itself through unity, it is disheartening and discouraging and unjust and unfair to the masses to have this serious situation of division, hatred, bitterness, vainglory and selfishness obtaining. Central Bodies, State Federations of Labor, local unions, and conventions of International Unions should make themselves heard at once, immediately, and continue to voice their disgust and disap-

pointment and demand that Labor come together. Mass meetings should be held everywhere and declarations made and forwarded, not only to the leaders of Labor but to the President of the United States, to the end that this division in Labor be brought to an end. Don't leave it to the other fellow. You do your share, and everyone working to this end, which seems now to be the only answer, will lead eventually to a unification of Labor's forces, which unity is so absolutely imperative and necessary at this critical time in the history of the world, when civilization seems to be in serious danger, and the freedom of man in the balance.

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**A** STATEMENT was made on December 14 by Mr. John P. Frey, a member of the Molders' Union and an officer of the Metal Trades Department, to the effect that he was hopeful that Congress would enact legislation prohibiting labor unions from contributing to political campaigns. The statement was made before the Committee of the U. S. Congress that is investigating the board which is in charge of enforcing the National Labor Relations Law. How the committee permitted Mr. Frey to make such a statement, which was not germane to the subject, is something we cannot understand.

The statement, we assume, was prompted by the fact that the Miners' International Union in the last general election in 1936 contributed what is erroneously and untruthfully stated by many speakers as the sum of five hundred thousand dollars to the Democratic campaign. It is also insinuated that because of such contribution John L. Lewis was able to control certain members of the administration and of the Congress. In the first place, the Democratic National Committee has published the amount of money it received from the Miners' International Union and there was no such sum as five hundred thousand dollars contributed. I think the amount the National Democratic Committee received from the Mine Workers' International Union, to be used directly by them, was something like \$140,000. All the money given over and above that amount was what we call "earmarked." For instance, it was stated that so much should be spent in the campaign of several progressive candidates for the United States Senate, and so on down the line. At that time I happened to be in the National Democratic Headquarters on the Labor end of it, and if I had been asked for an opinion as to the acceptance of this contribution in the way it was given, I would have advised against it. Not that the Democratic Party did not need the money; they did; but it looks bad on paper to have any institution give \$200,000 to any campaign. What should have been done or requested to have been done by the late Forbes Morgan, who was then the Treasurer, was that the Miners should split up the contribution amongst the different districts, and each district could send in individual amounts. The Miners did have, when they were in the American Federation of Labor, twenty-nine separate districts. This suggestion, if made, might not have been acceptable to Mr. Lewis, the President of the Miners' Union, but at any rate the suggestion could have been made and it was then up to the Strategy Board of the Democratic National Committee to decide what was best to be done. Anyone that knew anything about the history of political campaigns would have known that there would be a come-back on this act, and I repeat, I would have advised against it as it was presented if I had known about it at the time. But to now believe that Labor should be hamstrung by adopting the suggestion of Mr. Frey—that is, enacting legislation that would prevent labor unions from con-

tributing to the support of one of their candidates—such procedure is not only thoroughly dangerous but brutally unfair to the Trade Union Movement. For instance, there may come a time when Labor would have its own party; or there may be with us, as there was in recent elections, candidates running for office that we may have to finance if we want to help elect them. If the American Federation of Labor attempted to amend its Constitution to this effect, stating that affiliated labor organizations would not be permitted to contribute to the election of any political candidates—I repeat, if they attempted to do this, such attempt would be defeated in my judgment, and if it was not defeated it would not be observed and obeyed, because the International Unions affiliated with the American Federation of Labor have autonomous rights and may do as they see fit, under the direction of their membership, with the money in their treasury, which belongs to the membership. If the General Executive Board of an International Union decides to help a political party in accordance with their Constitution, which is adopted by the membership, the American Federation of Labor has no right to prevent them from doing so.

Mr. Frey does not speak for the Labor Movement and such suggestions without proper consideration and consultation are dangerous, unwarranted and unfair to the multitudes of organized workers. Naturally men who are financially helped in their election by an organization of labor will be friendly to that organization. If the Miners did spend \$100,000 or \$500,000 in the last campaign towards electing the friends of the Miners, they have been repaid a hundredfold. I say that it was money well spent. I do not insinuate by this that men who were candidates were bribed because of receiving financial help, but men who were friendly to labor may have been elected by such procedure. The Labor Movement of England levies assessments on their members towards helping to elect members of their own Party, friends of the Labor Movement. Whether those friends are members of the Labor Movement or not makes very little difference. The Labor Movement of Germany before the World War was doing the same thing and had made wonderful strides in obtaining legislation as a result of the Labor Movement electing their friends, with the help of their contributions, as members of the Reichstag. Men should be careful before they make statements now encouraging the enactment of legislation that may come back to haunt us as a "Frankenstein" in the years to come. Anyone who reads the book, "The Lord of San Simoen," will find out how the Legislature of California was bought and sold when a United States Senator was chosen, and will rejoice that we are in a day in which Labor is becoming alive to the necessity of helping by their contributions to elect the friends of Labor to political office. The International Brotherhood of Teamsters cannot levy assessments for political elections, but I hope to see the day when the Constitution of that International Union will be so amended as to provide authority for the International Executive Board to proceed in that direction. As a voter in Massachusetts thirty-five or forty years ago I remember how impossible it was to get a friend of Labor chosen to the United States Senate by even the Massachusetts State Legislature. The majority party in that State Legislature cared very little for salaries. What they could get for their votes in the choice of a Senator and in other ways fully reimbursed them for any expenditures they incurred during their election. Labor-hating Corporations put up their campaign expenses. Labor has made

great progress in the cleanliness of elections but it will not have reached its final goal until by the contributions of its members it helps towards the election of its friends to important positions. If such legislation as insinuated or requested by Mr. Frey is considered by the Congress, the International Brotherhood of Teamsters, the largest dues-paying organization in the American Federation of Labor, will stand opposed to such legislation, because if enacted it would strap us to the bench, it would be taking away our freedom, and it might prevent us in the future from electing honest men, who are Labor's champions, and it might prevent us from electing our own members to office. It would be difficult to remove such legislation if it were once enacted. Labor leaders should not permit the bitterness of our present division blind us to the extent that we would advocate legislation that may shackle or retard our progress in the years to come.

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**A** REAL SOLDIER is one who can take orders as well as give orders. A real union man is one who can observe and carry out the decisions of the majority even though he voted the other way, or for the minority. Under our system of government and under our system of elections in labor unions, the majority decide what they want. In all the recent elections that have been held in our local unions it is the duty of every union man in good standing to abide by the decisions of the majority and to support in every way possible the men elected to office during the term of their election. If they are not satisfactory, at the end of their term of office they can be removed in our American democratic method, by a majority vote at an election. During the year you have the right to offer your opinion, to disagree on policies at the regular meeting. Not around the street or in saloons should your disagreements be voiced, but at your regular meeting; and then if your opinions are not adopted by the majority you are again bound by your obligation to this union and as a real man, to be governed by the decisions of the majority. None of us can be successful as officers without the support and backing and encouragement of the rank and file of our membership. If you want your union to progress you will give this support unselfishly. Again let me repeat, this does not mean that you are compelled to support the officer of a union no matter what he suggests. On the contrary, you can be helpful by disagreeing on some matters. My experience, however, is that in ninety per cent of the cases the officers are right, because they speak from experience and from contact with the real problems confronting your union.

My advice also to the officers is that they should not get self-important because they have been chosen to represent the membership of their locals. In other words, they should not get the big head and believe that they are all-powerful. That kind of condition of mind has destroyed most of those afflicted with such a disease. An officer should be intelligent, respectful, dignified, considerate and patient, not only with the membership he represents but with the employers, who sometimes are hard to get along with. My experience as a business agent and as an International officer, is that most employers as well as our members listen to reason when the matter is properly explained. The days of threatening either our members or employers is a thing of the past. We must win our progress, if we are to continue to progress, with our brains, our sincerity, our ability to convince others of the justice of our claims, and by eternally watching everything surrounding our union and its membership. There is no higher honor

than to be chosen by your own kind, men with whom you have worked, to represent them. When a member is elected to office he immediately loses his individuality to a certain extent. He is not one person any more. He goes out to speak for and represent the membership that elected him. He must be ever careful and on his guard that he does not misrepresent them, and that he maintains the righteousness and the honor of his position, fully understanding that any mistake that he makes may bring disastrous results to the union. No man can go home at night and rest in comfort or contentment if he has willfully done wrong during the day in his representation of the members of his local union. I pity the man who betrays his union by any such thing as underhanded or shake-down methods. The Labor Movement, because it has been educated to pay substantial salaries to its representatives, has thereby been able to select and obtain better men and has practically totally eliminated graft. It is only rarely now that we hear of a business agent taking money unlawfully from any employer. Such an individual is cursed mentally and has nothing but a miserable existence because he not only betrays his own conscience but he destroys the confidence of the employer in the Labor Movement and seriously injures the membership that he represents. Truly it can be said that "Accursed is he that moves falsely against his fellowman.",

This International Union of yours is one of the most powerful today in the American Labor Movement because it has observed the laws and rules of decency, and square dealing, while exercising intelligence and strategy. It has grown from almost nothing to be the largest in membership, and it has done things that were considered impossible when the writer was engaged in driving a team. Its influence has extended throughout the entire labor world and it is considered with respect in legislative halls and by men of prominence in public and private life. This condition has been brought about only by observing the laws and rules of honesty and justice. Once in a great while an individual appears who is charged and found guilty of wrongdoing, financially and otherwise. Those individuals are guilty of a crime greater than words can describe because their actions have a tendency to break down the confidence in this International Union. When found guilty of wrongdoing by the courts of the land, they should be driven out of labor unions by the membership and regarded as men and women in the old days were regarded who were afflicted with the awful disease of leprosy, as "unclean."

To the officers who are going out as a result of the recent elections in local unions, we tender our thanks for the efforts they have put forth and the service they have rendered while serving as officials. To the newly elected officers we send this message. Realize your responsibilities; try to fulfill the duties of your office honestly and faithfully; observe the rules of justice and fair play; do not be over sentimental. Your actions should be based on common sense and sound business thinking. Do your best, and at the end of your term of office there is no doubt in my mind but that you will be re-elected if you desire the position, and if you are not re-elected you will end your services as an officer with the full knowledge and satisfaction in your own mind and conscience that you did no wrong, that you served faithfully your own people who trusted you. Take up the banner that has been placed in your hands. Keep it clean and unsullied. Remember the honor and well being of the men who have elected and placed their trust in you. The road is sometimes rocky

and uncharted, but eventually you will reach victory and honest reward, knowing you did a man's work well.

May success and accomplishment bless your efforts during the coming year and give you courage and strength to face the struggle in which the men of Labor are engaged, to the end that we may bring about a better day for our people.

**W**E WISH our members throughout the nation, and their families, a Happy and Prosperous New Year.

The writer has tendered this message, through the columns of our Journal, every year for the past thirty-three years, and it is expressed with all the sincerity that it is possible to give. We hope and trust that none of us throughout the year will become discouraged or will refuse to bear as patiently as possible the load placed upon our shoulders. Life is not all smiles and joys and laughter for anyone given life. People in every station of life, no matter who they are or where they are, what wealth they possess, or what high position they attain—believe it when I say to you they have their troubles, their heartaches, and their mental agonies just as you have. Some people are possessed of such strength of character that they smile when it is difficult to do so, and thereby they hold, because of their firmness of mind, their troubles to themselves. No one has any use for the individual who goes around spreading dismal forebodings and explaining his sufferings and privations to all with whom he comes in contact. Everyone respects and admires the man or woman who carries his troubles within him, at least trying to save others from the hardships of understanding his difficulties.

For every success in life there is a price to be paid. For every sorrow there is a reward. Those who do not believe this do not understand life. Very often those rewards are unknown to us. Sometime ago I had occasion to know a person who won a top prize of one thousand dollars in a drawing, or so called lottery. The individual was a good person, living a decent life. The following Sunday coming away from church a friend invited her to ride home, and the winner of the prize and her sister were badly injured in an accident. There is a law of averages that cannot be defeated or cheated. You and I sometimes get dissatisfied with our condition in life because of injustice that we believe prevails against us but we are not true soldiers, we are not real men, if we continue to grumble at our fate. Not long ago I saw a friend in the hospital whom I admired and loved. He was dying, but in his conversation with me he was cheerful. That man had attained the highest position within his profession, had done great things, won scholarships in Rome and other places. He was in middle life and there was no reason why he should suffer with the malady with which he was afflicted and which caused his death shortly afterwards. I left that institution feeling perhaps that I was an ingrate because through my own mind was running a sense of rebellion against inconveniences and wrongs that I believed obtained all around. I received a lesson from that humble, highly educated, brilliant man who suffered in silence. The thought kept running through my mind as to why it was that this good man who had attained honor and done good in life, was lying in that bed dying of an incurable disease, when I was able to breathe and live on God's green earth and in the golden sunlight of the day.

Most of you listened to the radio and heard described recently the awful conditions and sufferings of the good people of Finland, people who

had done no wrong to anyone and who were being trampled upon and murdered by a monster government based on cruelty, which government and monster would even be too brutal for the Dark Ages. How many of you stopped to think that one year ago at Christmas and New Year's those good people lived in peace and happiness with their families, as did the good people of Poland. I have met many of the natives across the water and in this country, and they are an industrious, God-fearing, hard-working people. One short year and their homes have been destroyed, their future is impossible to consider, their children have been murdered, and they are tramping in cold and bitterness away from the land they have loved, with most of their loved ones left in shallow graves. We, in our own beloved country, are the happiest in the world, and we have every reason to rejoice because no matter what our troubles are we are better off than the people of any other country in the world. Yes, in England, with its forty-six million human beings, they go to bed every night not knowing but what during the night they will be dragged from their beds to go into cellars for protection against raids, or in the morning they may hear of some members of their family being killed in action. The same is true of France and Germany. And still here in our country many of us rebel because we suffer temporary unemployment, or we have some other cross, such as ordinary sickness, to put up with, or we lost some money in some investment during the past year. All of those grievances and real or imaginary hardships are trivial compared with the blessings that we enjoy, which most of us do not appreciate.

At the beginning of this New Year let us pledge ourselves to meet the world and its challenge, embodying disappointments, with smiling faces, or at least with a determination to keep on looking forward and onward to a better day. Most of us have lost friends during the past year who were with us last New Year's. Undoubtedly the same will be true at the beginning of 1941. We have no guarantee that we may not be among those who will be absent on the national roll call in 1941. While we are here we must do our best to make good in the positions in life which we are called upon to fill. We cannot all be leaders insofar as holding high office is concerned, but we are all leaders in our individual positions. The man who is at the head of a family is a leader within his own home, and his responsibilities are great. He must not only provide for that family but he must see to it that they live and are trained so that they in turn will make good citizens. Remember it is always truthful to say, "He also serves who only stands and waits."

Our International Union is growing in numbers and in financial strength. We have endeavored to do our share of the work but we could not have succeeded without the individual aid of each officer and member in our local unions. The Labor Movement is confronted with many difficulties and the horizon is not at all clear. We hope and trust and we expect that with your help our organization will be stronger and better during the coming year. All any man can do is his best. He who does his best and does not shirk is the happy man. Carry this thought home with you each night—that health and strength, cleanliness of character and freedom within the law are the greatest blessings that you can possibly enjoy. All the wealth in the world amounts to nothing if your health is broken.

To this end then we wish you for 1940 a prosperous, healthy, happy year of contentment, peace and unity in your family, in your daily associations and in your organization.

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**N**O DOUBT all of our members will be deeply interested in the case pertaining to the milk industry of Chicago, which was before the United States Supreme Court recently. Judge Woodward of the Federal Court of Chicago rendered an opinion in this case in which he stated that because of the Marketing Act the defendants did not come under the supervision of the Sherman Anti-Trust Law. The defendants in this case were the milk distributors, farm organizations, Board of Health, States Attorney's office, Milk Wagon Drivers' Union and Joint Council of Chicago. Thurman Arnold, Assistant to the Attorney General of the United States, decided to take the case directly to the United States Supreme Court, passing over the Federal District Court of Appeals, thereby saving time. In the December issue of our Journal I referred to the presentation of this case because I was present in Washington in the Supreme Court during the time the case was presented by Mr. Arnold for the government, and by attorneys for the employers in the milk industry and the attorney representing the local union of Milk Drivers and the Joint Council of Chicago. The decision of the Supreme Court of the United States, which was, according to the newspapers, unanimous, was in substance, using the layman's method of explanation, as follows: That Judge Woodward was wrong in his decision, because the Marketing Act did not exclude the defendants from prosecution under the Sherman Anti-Trust Law. The decision of the Supreme Court further stated that it was not necessary, therefore, for them to say anything or render any opinion or decision on the question of whether or not a labor union was subject to prosecution under the Sherman Anti-Trust Law. As the case now stands it goes right back to the Federal Court in Chicago to be tried again by Judge Woodward or some other Federal Judge. It is up to that judge to state whether or not the defendants are guilty as charged; or the judge can say that the milk distributors and farmers' organizations are guilty and that the States Attorney's office, the Joint Council, the Board of Health of Chicago, and Local 753 are not guilty; or he can decide that all are guilty, or that all are guilty except the labor unions which are not subject to prosecution under the Sherman Anti-Trust Law and because of the Clayton Act and other legislation which exempt labor unions from prosecution; or the judge can declare that all the defendants are innocent and are not guilty of conspiracy in restraint of trade, etc. But if the judge should find all the parties guilty the case will then again go to the full bench of the United States Supreme Court, and that body can say that all parties are guilty; or they can say that all parties are innocent; or that the distributors and farmers are guilty and that the labor unions are not subject to prosecution under the Sherman Anti-Trust Law or are not guilty of conspiracy.

The reason we explain this to our members is as follows: All the press of the nation and radio commentators gave out the news immediately that it was a great victory for Mr. Arnold and the government in its prosecution of combinations or trusts in restraint of trade. They threw out the impression that all parties were found guilty, when as a matter of fact no one has been found guilty, and all that has been done is that the Supreme Court has decided that Judge Woodward was wrong in stating that because of the Marketing Act those parties could not be charged

with conspiracy under the Sherman Anti-Trust Law. In other words, all that was done by the full bench of the United States Supreme Court was to correct Judge Woodward in his opinion and send the case back to him again for trial.

I HAPPEN to be one of the few Labor men still in the harness who have been deeply interested and strenuously engaged in the battle between Capital and Labor for the past thirty years. Among the many efforts made by Capital to strangle Labor was their power in the old days to influence those in office towards the appointment on the United States Supreme Court of members of the legal fraternity who would be friendly and sympathetic to Capital and distinctively opposed to Labor, as demonstrated by their previous legal opinions and decisions. For many years Labor was strangled by adverse decisions of the courts, until Labor was successful in having passed the Sherman Anti-Trust Law, which was intended and understood by the Congress and by the people of the United States to exclude labor unions from its provisions. After the passage of this bill the courts refused, by more than one unfriendly and unfair decision, to recognize the fact that it was intended to exclude labor unions from prosecution under the Sherman Anti-Trust Law. The late Chief Justice White decided in the case of the Standard Oil Company that there were reasonable and unreasonable trusts and combinations, but the Supreme Court never decided that there were reasonable and unreasonable labor unions. It was the contention of Labor that there was no such power granted to the Supreme Court to make such interpretations. After the courts had decided against us in their interpretations of the Sherman Anti-Trust Law, we then proceeded towards the enactment of the Clayton Act, which more clearly provided exemption of labor unions from the provisions of the Sherman Anti-Trust Law. Again, we had the Norris-LaGuardia Act, which went still further and made the position of Labor and its exemptions from prosecution and persecution more definite and clear.

Now Labor is confronted with the recent actions of the government that it is subject to prosecution under the Sherman Anti-Trust Law, even though all of those clarifications and amendments and expressions and actions of the Congress of the United States have endeavored to enact legislation distinctively opposed to the opinion of some of the representatives of the government. For the first time in Labor's history it is now confronted with an attempt by the government to prosecute Labor because it has found it necessary to cease work in certain employments in order to enforce jurisdictional decisions or lines of demarcation in the employment of its members in certain trades or industries. Recently the International Brotherhood of Teamsters has been proceeded against by the representatives of the government in Washington, D. C., because one of its unions there insisted that members of our craft be employed in the hauling of materials to certain work under construction. The wage contract had expired and a request was made for a betterment of conditions, wages, hours, and also that the union shop should obtain. Because some of the contractors decided that they could not employ members of the teamsters' union in the driving of certain vehicles hauling material, the local union decided not to haul to that building under construction. The result was that governmental representatives decided that because some of this material was coming from outside the District of Columbia—and by the way, all material in the District of Columbia is interstate—the government is now endeavoring to

show that we are in a conspiracy in restraint of trade. In all the history of the government and Labor in this country there has never been another instance like this. If the government is successful in deciding that men cannot strike or cease work after having voted to do so, because of something that the government might feel was interfering with interstate commerce, then the government intends to tie men forcibly to their posts and thereby create compulsory employment. If the higher courts decide against Labor in such instances, even though it involves jurisdictional disputes, then Labor will not disband or become weakened, but it will proceed to elect only those to office who will guarantee Labor the right to strike and cease employment or stop working whenever they feel they are aggrieved. If we were able to enact the Sherman Anti-Trust Law and to amend and clarify it in the dark years of 1892 and all the years since then, I am confident we will be successful in the future in protecting Labor's interests through legislation by electing men to office who will appoint only those to positions of trust who will see that Labor receives the protection that was intended when laws were enacted for that purpose. We hope and trust that the day will come what representatives of the government, municipal, state and national, will endeavor to find how Labor can be protected instead of trying to find ways of prosecuting and persecuting it. The weak link in our efforts at this time is the division in Labor. It is the opinion of this writer that if this division continues, Labor will undoubtedly find it most difficult to protect itself from its enemies in the immediate future.

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SOME time ago there appeared in the papers a strong statement by Harold Ickes, Secretary of the Department of the Interior, denouncing truck drivers for being everything dangerous on the roads of our country. In a way we are surprised at Mr. Ickes making such a statement because he is considered by Labor as being as fair as anyone could be in his Department towards organized labor since he became a member of the Cabinet. Harold Ickes comes from Chicago, was a Progressive Republican for many years, and became a fighting Roosevelt Democrat in 1932. He is outspoken and impetuous on some matters but no one can deny his sincerity and honesty. It is considered that he has done a good job in the positions he has held. However, it can be said that he surely does not know the exact situation when he makes a general attack on truck drivers. About a year ago a great woman writer who is known from coast to coast had an article in the *Good Housekeeping Magazine* saying that "Of all the classes she had met in a trip across the country which she had taken with her daughter in their small automobile, the only human beings that were intelligent, courteous, generous and careful were the truck drivers on the roads and highways of the nation." There is a great difference in truck drivers and of course no one can deny that as a result of the International Brotherhood of Teamsters raising the standard of wages and endeavoring to better the hours and working conditions of those men, we have succeeded in bringing a better class of workers into this employment. It is the same story all over, that union men are better men because the employment has been made to pay decent wages. Many of the inhuman conditions that surrounded this occupation or employment some years ago have been eliminated. I have driven many times from the Middle West across the most congested part of the nation, through Indiana, Ohio, Illinois, Michigan, Pennsylvania, New York, and the New England States, and I freely admit that sometimes you

meet a truck driver who draws in a little too close to the center of the road to make you feel at all comfortable in passing. Usually if you look the man up you will find that he is perhaps driving a farm truck or that he is not a member of the International Brotherhood of Teamsters and is perhaps working long hours in interstate employment where there is very little jurisdiction over his work. We also have to admit that with our drivers of heavy trucks throughout the nation there are sometimes cases where a man with a heavy load will not go over too far to the right, lest he leave the hard concrete surface. In many instances the roads have what is known to the truck drivers as "soft shoulders" and especially in rainy or wet weather if the driver gets off the pavement he is stuck perhaps for hours. The fault in this instance is because the state or the national government does not in all instances protect the roads from such conditions, and in many other instances the roads are only sufficiently wide to have two trucks pass, or an automobile and a truck. We must admit, however, that wonderful improvements have been made in the roads within the last five or six years and that roads built under governmental supervision are much better than those built under state supervision where there is liable to be an opportunity for graft. Even though considerable improvement has obtained in the widening and building of roads, there is work yet to be done for years to come in making many roads wider and safer.

We also wish to call to the attention of Mr. Ickes that our interstate drivers are handicapped by decisions of a governmental board, namely the Interstate Commerce Commission, which has decreed that a truck driver may work over sixty hours per week if necessary. The minimum for a truck driver in over-the-road work is forty-eight hours, and those forty-eight hours can be condensed into three or four days if absolutely necessary by order of the Interstate Commerce Commission. Of course they use the words "absolutely necessary" but many truck owners find it possible to create or imagine necessity on certain trips at certain times.

Yes, we think Mr. Ickes made an unnecessary attack on the fine workers of the nation, the over-the-road truck drivers, and we do say that it would be too bad if Mr. Ickes had the desired war tank to butt into the trucks and clean them off the roads. The only one that would be smeared under this kind of condition, in our judgment, would be our good friend, the Secretary of the Interior, Mr. Ickes.

We would like to shorten the hours and we would like to reduce the speed of the trucks and make conditions better, but we are opposed at every turn in the road by the employers, and in some instances by governmental bureaus, although we are making some improvement year after year and we will continue our efforts. A suggestion that we have to offer is that the government put half a million of the unemployed building six and eight-lane roads across the country, avoiding entrances to large cities, and building freight terminals at the edges of the cities. This is what has been accomplished in Germany and is contemplated in other countries in Europe. We quite agree with Mr. Ickes that there are too many people killed and hurt from automobile travel, but if he would delve into this a little more closely he would find that these accidents and deaths are not due to the high grade truck drivers who are compelled to make time, but to the carelessness by which youngsters and those who are intoxicated or inefficient and incapable are allowed to drive almost everywhere throughout the nation. If you want to keep the trucks, Mr. Ickes, from taking, as you say, their full half of the road because they are compelled to do so for safety

purposes, then endeavor with us to get the roads widened and to get the hours of service reduced and to bring about the elimination of the stopwatch timing of drivers from point to point who are hauling at the present time a large portion of the freight of the nation. And Mr. Ickes, you might further try to do something towards regulating the non-union bus drivers who give me the shivers when passing, and further see to it that states enact laws requiring examinations, mentally and physically, especially in sight and hearing, before licenses to drive are issued. As it is now, licenses are issued on mere requests in many states, not only for trucks but for the so-called *pleasure* cars. There are some states in the union in which there is no kind of examination needed to get a driver's license and where any and all members of one family drive the car. In other states the age limit is down as low as fifteen years. And another menace that causes death and destruction to the people are the innumerable number of railroad grade crossings that should and could be eliminated.

Summing up the whole situation, our membership, in the interest of their own safety and that of the public, will continue now as in the past to be careful, but furthermore let us say to you that you do not need to worry much about the statements of good, honest Harold Ickes, the Secretary of the Interior. We are of the opinion that the long hours and stopwatch timing are dangerous.

Help us, Mr. Ickes, to make the roads safe for our drivers who have to drive to live—not for pleasure.



**A**S THE President of the International Union, I feel that I should acquaint our membership with the prospects of peace within the Labor Movement; that is, what the chances are of a coming together of the American Federation of Labor and the Congress of Industrial Organization.

I am deeply grieved to report that my personal observation and opinion is at this time that the chances are less bright and hopeful than they were one year ago. I may make this further statement: that the necessity of coming together is greater and more imperative now than it was even a year ago. During the past year Labor has been confronted in many sections of the country with attempts to enact adverse labor legislation. Furthermore, the attempt of the courts to strangle Labor by adverse decisions, and the recent continued efforts of the Department of Justice, through Mr. Thurman Arnold, to read into the Sherman Anti-Trust Law and the Clayton Act, interpretations that were never intended, to cripple Labor or put it to the enormous expense of defending itself—these things indicate to me the greater necessity for Labor to bury its differences, to make sacrifices, and bring about solidification of its forces. There is no question or doubt in my mind but what the rank and file on both sides almost unanimously desire a settlement of the question. Why? Because they are not blind to the fact that unless there is a settlement there will be a destruction of many of the privileges and benefits that Labor has gained in recent years. It is pitiful to have experienced during the past year the two forces of Labor arrayed against each other in hearings before Senate and Congressional Committees on labor legislation. The rank and file of the organized workers are going to suffer because they are the ones who will eventually have their organizations destroyed or pushed backward, those same organizations that have done so much for their members.

At this writing there is no sign whatever of a coming together of the two forces, and I might add further that if they do come together at the earnest suggestion of those in political office, there will be no agreement, as I see it. I hope and trust I am wrong in my analysis of the meeting before it takes place, but I am expressing my candid opinion based on what I know to be facts. To express my reasons for this last statement would only injure the situation, especially in view of the fact that I am a member of

the committee representing one side of the controversy. This I do know: that both sides are spending a great deal of money in their campaigns one against the other—money that should and could be used more profitably and advantageously in organizing in new fields. This I also know: that there is a determination creeping up amongst the business men of the nation to put forth a greater fight to strangle Labor after the next general election, and I further venture to say that no matter what party is in power if this spirit continues there will be no attempt made towards the enactment of favorable Labor legislation in either state or nation; but on the contrary every attempt is liable to be made to undo many of the things that we have accomplished in recent years.

Personal feeling, ambition, vanity, a desire to be in the limelight, hunger for publicity, the desire to protect one's self or one's immediate friends in certain jobs, and above and beyond all, political affiliations stand in the way of bringing the two forces together. It is criminal and unjust and unfair to the masses of the workers, especially those that are organized, to continue this split within Labor. Those who are responsible for this continued division, because of the injustice that may obtain as a result—I repeat, those responsible for the division will be cursed and hated and despised (as they should be) in the years to come by the masses of the workers. There is no doubt in my mind but what those who have championed Labor's cause within the last six or eight years in the halls of Congress will have a difficult time in the next election in being returned to office. They will be charged with petting one side or the other in this division, they will be charged by all the enemies of Labor with being responsible for the Communistic, radical actions and opinions within the masses of the workers; and they will also be charged with holding back business and with being responsible for unemployment because of their friendly attitude towards Labor in recent years. All of those charges will be multiplied and magnified so that the great masses of the voters who have no time to read in between the lines may be swayed and influenced to vote against Labor's friends. If that should happen—as it is liable to happen—and if Labor should be set backward as it is in Oregon, Wisconsin and other states, in the coming years, there is no class more responsible for it than the few men who stand in the way of the forces of Labor coming together and solidifying their ranks.

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Washington, D. C., December 1, 1939.

Dear Sir and Brother:

The Department wishes to call your attention to the fact that the last Congress failed to provide an appropriation for the purpose of continuing the program of the Public Works Administration.

For the past six years in excess of 80% of P. W. A. projects have been operated on a union basis. A great number of building trades men were benefited as a result. You are aware that all P. W. A. projects are constructed under the contract system, which gives our fair contractors equal opportunity to bid. The P. W. A. has made a consistent effort to maintain prevailing wages and working conditions and has protected collective bargaining on its projects. The Administration is responsible to a great extent for the recovery which the building trades have experienced and, as a result, we have at least partially recovered from conditions that existed in the early years of the depression. The pre-depression wage scales have been largely recovered and in some cases exceeded.

On September 6, 1939, the P. W. A. returned the applications for 5,000 projects. These applications were returned to the public body making them for the reason that the last Congress refused and failed to provide appropriations to make possible their construction.

At the hearing before the Congress, it was represented by the Public Works Administration that benefits of a program, upon the basis of only 3,000 applications for projects which had been examined by P. W. A., would result in the expenditure of nearly three-quarters of a billion dollars. The estimated amount is approximately \$715,000,000, based upon previous P. W. A. experience over a period of six years. The benefits to building trades men would be employment at the job site of approximately 247,000,000 man hours; employment off the job site would be approximately 617,000,000 man hours.

The action of the Public Works Administration, which was compulsory in returning the applications for projects to the public bodies making them, was due to no appropriation by the last Congress and will result in one of the most disastrous blows that has ever been directed to the building and construction industry in many decades. Private

enterprise cannot aid the applicants for those public projects. If it could, there never would have been necessity for the Public Works Administration in the first place.

The current Public Works Administration program, which was authorized by Congress in June, 1938, is now approximately 80% completed, and scheduled to be entirely completed by June 30, 1940. We were depending upon the P. W. A. to continue to relieve unemployment, instead of now adding to the numbers of already unemployed in our nation.

The members of the Congress, both Senators and Representatives, are now at their respective homes for a few weeks, and we strongly urge our Building and Construction Trades Councils to make contact with the Senators and Representatives in your many states as a Building and Construction Trades Council, as representatives of local unions affiliated with Councils and as individuals, and insist upon the members of the Congress to, immediately upon the convening of the new Congress on January 3rd, introduce and support a bill to provide an appropriation (similar to the Meade-Starnes Bill which failed of passage by one vote last July) for the P. W. A. to proceed with the program, which was cited in the report of the Administrator to the Congress at the last session as being available for immediate construction. This would prevent the unemployment of great numbers of building trades men who are now engaged on P. W. A. projects and who will, otherwise, be unemployed by failure of the Congress to provide an appropriation for the Public Works Administration in the next Congress.

Fraternally yours,

JOHN P. COYNE,

President, Building and Construction Trades Department.

The above letter explains itself. It is from the President of the National Building Trades Department.

You will notice where President Coyne says that 80% of all of the millions and millions of dollars which were expended in Public Works, under the supervision of the Federal Government, the work was done by union men and that union wages were maintained. Never before in the history of our country did this happen, still we have Labor men who tell us that this administration is not friendly to Labor. You will notice also that the bill introduced by Senator Meade and Congressman Starnes was defeated last July by one vote. This bill would have provided for the continuation of public works, building and construction employment. The Building Trades Department is endeavoring to interest the officers of all trade unions in an endeavor to have this legislation passed during the next session of Congress.

It is my opinion, although I hope I am wrong, that it will be difficult to get the appropriations necessary to carry on this program of public work passed by Congress. If Congress fails it will not be due to any lack of deep interest on the part of the top men of the administration. It will be due to the fact that we have perhaps a majority of Congressmen who are inclined to be ultra-conservative. This includes nearly all of the Republican and a great number of Democratic Congressmen.

The business men of the country are crying out for relief from taxation. People at home are crying to the Congressmen to reduce taxation. This year every Congressman will be up for election. They will watch the way the voters express themselves.—ED.

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**I**N FURTHER reference to the decision rendered by an Arbitration Board of the National Building Trades Department in the jurisdictional dispute between our International Union and the Engineers, we desire to say that we have contacted the members of the Arbitration Board and asked for interpretations but we have not received the information requested and desired. It is now believed that arrangements will be made to go into this matter and comply with our request around the end of January when the Building Trades Department will be in session in Miami, Florida. The three members of the Arbitration Board, namely William L. Hutcheson, Richard Gray, and Daniel W. Tracy, are members of the Building Trades Executive Council, which will be in session. At that time they expect to discuss the matter, after they talk with the Engineers, and will endeavor to give us the interpretations on the decision which we have requested.

After this information is obtained we will explain it to our membership, to the end and in the hope that the controversy may be adjusted.

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**A**S A RESULT of better wages and working conditions a better class of men have in recent years been employed at our work.

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**T**HE USE of intoxicating liquors, even to a small extent, is dangerous to anyone driving. A man needs all his powers of concentration and thought to protect his own life as well as the lives of the public. Drink is strongly forbidden and it should not be insisted by representatives of unions that any man discharged for using liquor while driving should be re-employed. Our membership is generally serious and sober.

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**A**NY MAN causing a disturbance at a meeting by using intoxicating liquor should be requested to leave the meeting. If he refuses to leave, he should be removed, either by the warden or by volunteers asked for by the Chairman. No individual should be allowed to inconvenience and disturb the meeting. He should be fined five dollars for refusing to leave the meeting upon request, and he should not be allowed to attend any further meetings until the fine is paid. For a second offense he should be suspended and his employer notified. Our meetings are places where serious business is conducted. We don't want hoodlums, drunks or rowdies. We are engaged in bettering and protecting our membership.

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Official Magazine of the  
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